

Congress of the United States
Washington, DC 20515

June 24, 2005

The Honorable Stephen L. Johnson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building (1101A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Johnson:

Millions of Americans are exposed to trichloroethylene (TCE) every day in their water and air. Many scientists believe TCE to be carcinogenic, immunotoxic, and neurotoxic. As you know, EPA drafted a Human Health Risk Assessment in 2001 that determined TCE is 5 to 65 times more toxic than previously believed. The Assessment received a positive review from EPA's Science Advisory Board, which commended EPA for its "groundbreaking" work. Based upon the Assessment, EPA regions developed new, more protective provisional screening levels, and some even began using these provisional standards in the field.

However, other federal agencies considered the new levels overly conservative, and EPA agreed to send the scientific issues raised by the Assessment to the National Academy of Sciences' National Research Council for re-review. Gradually, EPA's regions de-emphasized the more protective screening levels. When Members of Congress wrote letters to EPA asking that the protective standards be used, Henry L. Longest, II, Acting Assistant Administrator for EPA's Office of Research and Development, responded, "EPA is current evaluating a number of interim approaches for screening levels while awaiting a final TCE risk assessment." Acting Assistant Administrator for the Office of Solid Waste and Emergency Response, Thomas Dunne, wrote, "For vapor intrusion issues ... EPA has not developed national guidance."

It is expected that it will be years before EPA finalizes its TCE risk assessment, and Americans are constantly being exposed to this and similar toxic substances. We therefore strongly urge EPA to adopt a protective "interim approach." EPA should use provisional screening levels based upon the 2001 Human Health Risk Assessment until a new risk assessment is completed. For example, based upon work done by several EPA regions, the screening level for TCE in air would be about .02 micrograms per cubic meter.

EPA personnel developing or overseeing the development of remediation and mitigation strategies should consider those levels. Most immediately, vapor exposure investigations should use sampling technologies designed to detect TCE down to those provisional levels.

We appreciate your attention in this matter, and we look forward to hearing your response.

Sincerely,

Inew Kelly

Frank Pallone, Jr.

Raul M. Grijalva

Bob Latta

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